

**GROUND WATER MANAGEMENT COMMISSION
12th MEETING SUMMARY
Friday, September 13, 2002**

Prepared by:

Department of Natural Resources

Office of Conservation

Ground Water Management Staff

Call to Order

Commission members in attendance:

Karen Gautreaux, Chairman, Governor's Office

Phil Boudreaux, Department of Natural Resources

Hall Bohlinger, Department of Environmental Quality

George Cardwell, Capital Area Ground Water Conservation District

Richard Durrett, Sparta Groundwater Commission Conservation District

Dr. Fulbert L. Namwamba, Southern University – Geologist & Engineer

John Roussel, Department of Wildlife & Fisheries

Dean Lowe, Department of Health and Hospitals

Linda Zaunbrecher, Farm Bureau Member

Ground Water Management Staff Report

Mr. Duplechin, Chief of Staff, reported that an additional 86 water well information sheets were submitted bringing the total to 510. Four just cause decisions were rendered, seven forms were received less than the 60 day prior notice and fifteen forms were received after installation of the well. The usual items were posted on the website.

On July 1st, a joint oversight hearing was held by the senate and house environment committees. The main topic was discussion of the rules for conduct of hearings for critical groundwater area applications. The rule was approved and became effective upon its publication in the July 20, 2002 edition of the *Louisiana Register*.

The staff attended several meetings including the August luncheon meeting of the Baton Rouge Chapter of the League of Women Voters and The Gulf Restoration Network Symposium entitled "When the Water Runs Dry".

The staff met with the consultants, C. H. Fenstermaker and Associates, on several occasions since the beginning of the fiscal year. Much progress has been made with Part 2 deliverables. Fenstermaker was given permission to go public with their website as part of part one. The address is www.la-water.org.

Sparta Ground Water Conservation Commission District's Application

The Sparta Ground Water Conservation Commission District had a notice of intent to apply to the Louisiana Ground Water Management Commission to have portions of the Sparta aquifer declared critical in 12 north Louisiana newspapers. The application was presented to Commissioner Gautreaux and Tony Duplechin in Ruston on July 25th. On August 7th, the staff informed the Sparta Commission additional information was needed to deem the application administratively complete. The requested information was received by the staff on August 16th. On August 23rd the staff informed the Sparta Commission that the application had been deemed administratively complete. The application is currently undergoing technical review. The abovementioned information can be viewed on the Ground Water Management Commission's website. Mr. Duplechin reported the staff received a copy of the Meyer, Meyer, LaCroix & Hixson report on CD and are in the process of posting it on the website. The Commissioners were given copies of the CD as well as the original application, the letter requesting additional information, the revised application and the letter informing Sparta of its completeness.

In accordance with the rules concerning hearings, the next step in the review process is for the Commission to schedule one initial public hearing in the locality of the area affected by the application. It is assumed that hearing will take place in Ruston. The only time constraint is the 30-day advance notice requirement. Notice must be published in the official state journal and the official parish journal of each parish affected by the application. The application and supporting documentation will be placed with each parish government of each parish affected and at the main branch of the parish library in each affected parish.

The technical review will be done by the staff working closely with the U.S. Geological Survey and the Louisiana Geological Survey. There is no schedule for completion. The public hearing is part of the review to receive comments.

During the initial public hearing is when the applicant will have the opportunity to make a formal presentation. The public will be allowed to pose questions and comments, as well.

Advisory Task Force Activities

The Advisory Task Force met on September 4, 2002. Three main topics were discussed by C. H. Fenstermaker. They made short presentations on each and opened the floor to discussion. The first topic was critical groundwater area designation criteria. There was discussion about declaring a stressed area as critical as a preventive measure. A critical area may change status in the future and be declared non-critical. The Task Force agreed that micromanaging an aquifer is not the intention of the legislation. Taking proactive or reactive measures would depend on the size of the staff that comes up with the ultimate program.

The second topic was discussion of water rights. Louisiana operates under the rule of capture. Under current legislation, an area is either critical or non-critical. There is no in-between.

The third discussion was of possible agency designations and structures, more a structure than a designation. Three approaches were discussed: The top-down approach, the top-down approach with regional administration and third approach which is a regional planning approach.

Old Business

There was discussion of possible dates for the Sparta Hearing. The *tentative* dates are November 4th and November 18th in the evening.

The Advisory Task Force presented the following recommendation to the Commission. “The Ground Water Management Advisory Task Force requests that the Ground Water Management Commission direct C. H. Fenstermaker and Associates to consider the following items in their development of a comprehensive statewide water management plan: 1) provisions addressing the authority to construct, finance and operate water treatment and transmission facilities for the purpose of reducing or abandoning the extraction of the groundwater in favor of surface water, and 2) provisions addressing incentives to encourage the public and private sectors to invest in the installation of equipment and implementation of processes to conserve water use and to reduce or abandon groundwater extraction.” The proposal passed unanimously.

Schedule for the Next Meeting

A joint meeting of the Commission and Task Force will be on Friday, October 25, 2002. Time and location will be announced at a later date.